

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

UNITED STATES OF AMERICA,	)	
	)	
<i>Petitioner,</i>	)	
v.	)	Nos. 1:05-cv-351 / 1:03-cr-86
	)	<i>Edgar</i>
HENRY EUGENE STAMPER,	)	
	)	
<i>Respondent.</i>	)	

**MEMORANDUM**

Henry Eugene Stamper (“Stamper”) has filed three duplicative § 2255 motions. Stamper filed a *pro se* motion under 28 U.S.C. § 2255 in the United States District Court, Eastern District of Tennessee at Chattanooga, on or about November 1, 2005, *United States of America v. Henry Stamper*, Civil Action No. 1:05-cv-317 (E.D. Tenn); a second § 2255 motion, the instant case, was filed on or about November 30, 2005, *United States of America v. Henry Eugene Stamper*, Civil Action No. 1:05-cv-351 (E.D. Tenn); and the third case was filed on or about February 14, 2006, *United States of America v. Henry Eugene Stamper*, 1:06-cv-51(E.D. Tenn.).

In all three § 2255 motions Stamper attacks the same convictions and alleges virtually the same grounds for relief. Stamper’s first § 2255 motion is presently pending. *United States of America v. Henry Stamper*, Civil Action No. 1:05-cv-317 (E.D. Tenn.). Because resolution of the first case will decide the issues in the instant case, the Court concludes this case will be dismissed as this case is duplicative of the § 2255 motion in Civil Action No. 1:05-cv-317 (E.D. Tenn.), the

earlier suit. *See Peoples v. Reno*, 230 F.3d 1359 (6th Cir. Sept. 26, 2000) (unpublished table decision), *available in* 2000 WL 1477502.

Accordingly, this case will be **DISMISSED as DUPLICATIVE**.

An order will enter.

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/s/ *R. Allan Edgar*  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE